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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/003,954 10/31/2001 Yoshiyuki Kaniwa JP920000348USI 4764

23550 7590 11/30/2006

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ALBANY, NY 12207

EXAMINER

NGUYEN, NGA B

ART UNIT PAPER NUMBER

3692

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/003,954

Applicant(s)

KANIWA ET AL.

Examiner

Nga B. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 13-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is the answer to the Amendment filed on August 31, 2006, which paper has been placed of record in the file.
2. Claims 1-12 are elected for consideration.

### ***Response to Arguments/Amendment***

3. Applicant's election with traverse of the Election requirement in the reply filed on August 31, 2006 is acknowledged. The traversal is on the grounds that claims 13-16 of Group II are not distinct from Group I. This is not found persuasive because Group I (claims 1-12) recite a database system that manages, totals and processes data, classified in class 707, subclass 100, claims 13-14 of Group II recite a data extracting method and a cash flow calculating method, claims 15-16 of Group II recite a computer program product comprises computer readable code for extracting data and calculating a cash flow, classified in class 705, subclass 36. The inventions of Group I and II are distinct, each from the other because the method and computer program product of Group II can be practiced by another materially different system and the system of Group I can be used to practice another materially different method and computer program product. Moreover, Group I and II have acquired a separate status in the art as shown by their different classification, thus that requires the examiner to perform the search for different classes. Therefore, the requirement is still deemed proper and is therefore made FINAL.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Brady, U.S. Patent No. 6,633,875.

Regarding to claim 1, Brady discloses a database system that manages, totals and processes data on a predetermined condition, the system comprising:

a data storage unit for storing data (figures 1-2 and column 6, lines 55-67, database server 8 includes database 20);

a data base management unit for managing input/output of said data to/from said data storage unit (figure 2 and column 7, lines 1-8, system administrator workstation 28);

a data processor for controlling said data base management unit to obtain desired data from said data storage unit and process said data (figure 2 and column 7, lines 1-8, system administrator workstation 28); and

a stored grouping function enabled to define a field value used to group said data (figures 14-19 and column 8, lines 25-27, grouping static data),

wherein the data processor executes:

program code configured to enter an execution command that specifies said stored grouping function used in a data processing (column 10, lines 10-20, a table 50 contain static data and dynamic data); and

program code configured to instruct said data base management unit to total said data according to a field value defined by said stored grouping function specified in said execution command (column 10, line 10-column 11, line 20).

Regarding to claim 2, Brady further discloses, wherein said system further comprises a stored totaling function which sets both condition and method for totaling data, and said data processor executes; program code configured to enter an execution command that is a combination of said stored functions for grouping and totaling data; and program code configured to instruct said data base management unit to total said data on said condition and by said method for totaling data, set by said stored totaling function according to a field value defined by said stored grouping function (column 10, line 10-column 11, line 20).

Regarding to claim 3, Brady further discloses wherein said data processor further comprises an asynchronous server, and said asynchronous server creates an SQL statement that includes procedures for using said stored grouping and totaling functions so as to instruct said data base management unit to execute said SQL statement (figures 1-2, development workstation 10 or administration workstation 28, and column 15, lines 48-52).

Regarding to claim 4, Brady further discloses wherein said system further comprises an input device for entering information on a definition of said field value

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defined by said stored grouping function, and said data processor creates an SQL statement used to create said stored grouping function according to said information entered via said input device and instruct said data base management unit to execute said created SQL statement (column 7, lines 1-7, administrator workstation 28 entering data into the database system).

Claims 5-6 contain similar limitations found in claims 1-4 above, therefore, are rejected by the same rationale.

Claims 7-9 contain similar limitations found in claims 1-4 above, therefore, are rejected by the same rationale. Moreover, Brady further discloses said data processor calculates cash flow and corrects said calculated cash flow according to the properties of said financial data in each group defined by said field valued defined by said stored functions (column 10, lines 40-47); wherein said property information input device decides a predetermined setting period and enters said property information in each set period (column 10, lines 15-20, periodic updating the database).

Regarding to claim 10, Brady discloses a data processing apparatus, comprising:  
an input device for entering definition information that includes an original field expression used to group data in an analysis mother data base, definition of a new field value used to group said data newly, and a range in which said new field value is effective (figure 2 and column 7, lines 1-7, administrator workstation 28 entering data into the database system); and

a data processor connected to a data base management unit of said analysis mother data base and enabled to create an SQL statement used to instruct said

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data base management unit to create a stored function for setting a field value corresponding to said definition information in case said data base management unit extracts data according to said definition information received via said input device (figure 2; column 7, lines 1-8, system administrator workstation 28; and column 15, lines 48-52).

Claim 11 contains similar limitations found in claim 10 above, therefore, is rejected by the same rationale.

Claim 12 contains similar limitations found in claim 7 above, therefore, is rejected by the same rationale.

### ***Conclusion***

6. Claims **1-12** are rejected.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on (571) 272-6777.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

8. Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label

"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany  
Street, Alexandria, VA, First Floor (Receptionist).



NGA NGUYEN  
PRIMARY EXAMINER

November 7, 2006